AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application.

LISTING OF CLAIMS

1. (currently amended) A self-erecting structure for a rod-shaped member comprising:

a rod-shaped member including a rod part having one end and ~~the other~~ an other end and an erecting operation part provided at the one end of said rod part; and

a container including a mount surface capable of accommodating said rod-shaped member in a lying position, said mount surface having an erecting action surface for the erecting operation part of said rod-shaped member to perform an erecting action thereon, said container further including a lid capable of opening and closing an open part of said mount surface;

said erecting operation part of said rod-shaped member having:

a rolling surface rollable on said erecting action surface in an erecting direction of said rod-shaped member;

an erection support surface formed adjacent to and forward of said rolling surface at one end of said rod-shaped member; and

a first magnet provided in a vicinity of said erection support surface, said first magnet having a first magnetic pole facing toward the one end of said rod-shaped member, so that magnetic force from said first magnetic pole acts on said erection support surface;

said container having a second magnet ~~or a ferromagnetic material~~ provided directly under the mount surface, ~~in a vicinity of said erecting action surface~~ said second magnet having a second magnetic pole opposite in polarity to said first magnetic

pole, said second magnetic pole facing upward so that magnetic force from said second magnetic pole acts on said erecting action surface;

wherein said rod-shaped member is constantly urged to pivot in the erecting direction by magnetic attraction force between the first magnetic pole of said first magnet and the second magnetic pole of said second magnet, ~~or magnetic attraction force between the first magnetic pole of said first magnet and said ferromagnetic material,~~ so that said rod-shaped member is automatically shiftable from the lying position to an erect position by rolling of said rolling surface on said erecting action surface;

said lid of said container having an erection restraining part capable of holding said rod-shaped member in the lying position on the mount surface against urging force acting on said rod-shaped member in said erecting direction when said lid is closed.

2. (cancelled).

3. (previously presented) A self-erecting structure for a rod-shaped member according to claim 1, wherein the erecting operation part of said rod-shaped member is formed from a spherical or ellipsoidal magnet, said magnet being disposed so that one of magnetic pole points at which said magnet has a highest magnetic flux density is positioned directly below said rod-shaped member when in the erect position as the first magnetic pole of said first magnet, and said rolling surface is a curved surface around the magnetic pole point operating as said first magnetic pole.

4. (previously presented) A self-erecting structure for a rod-shaped member according to claim 1, wherein said lid can open and close by pivoting around a pivot shaft, said erecting action surface being positioned on said mount surface closer to the pivot shaft of said lid, and a pivoting direction of said rod-shaped member when shifting from the erect position to the lying position is the same as a pivoting direction of said lid from an open position to a closed position.

5. (previously presented) A self-erecting structure for a rod-shaped member according to claim 1, wherein said erecting operation part is provided at one end of a cap, said cap having at the other end thereof an opening that fits to a shape of the one end of said rod part.

6. (currently amended) A self-erecting structure for a rod-shaped member according to claim 1, wherein said mount surface can accommodate ~~a first rod-shaped member and~~ a second rod-shaped member side-by-side with said rod-shaped member and is formed with ~~a first erecting action surface and~~ a second erecting action surface for said ~~first and~~ second rod-shaped ~~members~~ member, ~~respectively,~~ said ~~first and~~ second erecting action ~~surfaces~~ surface being spaced from ~~each other~~ said erecting action surface to such an extent that when erecting operation parts of said ~~first~~ rod-shaped member and said second rod-shaped ~~members~~ member are positioned on said ~~first~~ erecting action surface and said second erecting action ~~surfaces~~ surface, respectively, [[a]] the first magnet of said ~~first~~ rod-shaped member and a magnet of said second rod-shaped member do not attract each other.

7. (currently amended) A self-erecting structure for a rod-shaped member according to claim 6, wherein said ~~first~~ rod-shaped member and said second rod-shaped member pivot toward each other when shifting from an erect position to a lying position.

8. (currently amended) A self-erecting structure for a rod-shaped member comprising:

a rod-shaped member including a rod part having one end and ~~the other~~ an other end and an erecting operation part provided at the one end of said rod part; and

a container including a mount surface and a lid capable of opening and closing a surface facing said mount surface;

said erecting operation part having a first magnet with a partial spherical or ellipsoidal surface, said first magnet being secured to the one end of said rod part so that when said rod-shaped member erects, a magnetic pole of said partial spherical or ellipsoidal surface of said first magnet faces toward said mount surface;

said mount surface having an erecting action surface for said rod-shaped member to perform an erecting action thereon, said mount surface further having a second magnet that exerts magnetic force on said erecting action surface and its vicinity, said second magnet being provided directly under the mount surface;

wherein said first magnet and said second magnet differ from each other in polarity of their respective magnetic poles facing each other when said rod-shaped member erects on said erecting action surface, whereby said rod-shaped member is constantly urged to pivot in an erecting direction by magnetic attraction force between said first magnet and said second magnet so that said rod-shaped member is automatically shiftable from a lying position to an erect position, wherein when said lid is

opened, said rod-shaped member is erected by said urging force, whereas when said lid is closed, said rod-shaped member can be held in the lying position in said container against said urging force.

9. (withdrawn) A rod-shaped member producing method to secure the first magnet set forth in claim 8 to one end of a rod-shaped member, said method comprising the steps of:

preparing a work surface having a magnetic pole opposite in polarity to a magnetic pole of the first magnet that faces said second magnet when said rod-shaped member erects on the erection support surface;

placing the first magnet having a partial spherical or ellipsoidal surface on said work surface in a natural state; and

bringing the one end of said rod part into contact with a top of the first magnet placed on said work surface from directly above the first magnet, and bonding the first magnet to the one end of said rod part with an adhesive.

10. (previously presented) A self-erecting structure for a rod-shaped member according to claim 1, wherein said lid can open and close by pivoting about a pivot shaft, and the erection support surface of said rod-shaped member is flat, wherein when said rod-shaped member is in the erect position with said erection support surface facing said erecting action surface, said rod-shaped member stands at a tilt to the pivot shaft of said lid, so that said rod-shaped member is shiftable from the erect position to the lying position on said mount surface by pivoting down toward said pivot shaft in linkage with a closing motion of said lid.

11. (previously presented) A self-erecting structure for a rod-shaped member according to claim 1, wherein said lid can open and close by pivoting about a pivot shaft, and said erecting action surface is linearly slanted or curved so that when said rod-shaped member is in the erect position with said erection support surface facing said erecting action surface, said rod-shaped member stands at a tilt to the pivot shaft of said lid, so that said rod-shaped member is shiftable from the erect position to the lying position on said mount surface by pivoting down toward said pivot shaft in linkage with a closing motion of said lid.

12. (original) A self-erecting structure for a rod-shaped member according to claim 7, wherein said lid can open and close by pivoting about a pivot shaft, and a pivoting guide surface is formed on an inner side of said lid, whereby when said lid is closed, said pivoting guide surface abuts on distal ends of said first and second rod-shaped members and then guides said first and second rod-shaped members so that said rod-shaped members pivot toward each other.

13. (previously presented) A self-erecting structure for a rod-shaped member according to claim 1, wherein said container is a case body of a cosmetic compact case, and said rod-shaped member is a makeup brush or a makeup tip.

14 - 17. (cancelled)

18. (previously presented) A self-erecting structure for a rod-shaped member according to claim 8, wherein said container is a case body of a cosmetic compact case, and said rod-shaped member is a makeup brush or a makeup tip.

19. (cancelled)

20. (new) A self-erecting structure for a rod-shaped member comprising:

a rod-shaped member including a rod part having one end and an other end and an erecting operation part provided at the one end of said rod part; and

a container including a mount surface capable of accommodating said rod-shaped member in a lying position, said mount surface having an erecting action surface for the erecting operation part of said rod-shaped member to perform an erecting action thereon, said container further including a lid capable of opening and closing an open part of said mount surface;

said erecting operation part of said rod-shaped member having:

a rolling surface rollable on said erecting action surface in an erecting direction of said rod-shaped member;

an erection support surface formed adjacent to and forward of said rolling surface at one end of said rod-shaped member; and

a first magnet provided in a vicinity of said erection support surface, said first magnet having a first magnet pole facing toward the one end of said rod-shaped member, so that magnetic force from said first magnetic pole acts on said erection support surface;

said container having a ferromagnetic material provided directly under the mount surface;

wherein said rod-shaped member is constantly urged to pivot in the erecting direction by magnetic attraction force between the first magnetic pole of said first magnet and said ferromagnetic material, so that said rod-shaped member is

automatically shiftable from the lying position to an erect position by rolling of said rolling surface on said erecting action surface;

said lid of said container having an erection restraining part capable of holding said rod-shaped member in the lying position on the mount surface against urging force acting on said rod-shaped member in said erecting direction when said lid is closed.

21. (new) A self-erecting structure for a rod-shaped member according to Claim 20, wherein said rolling surface has a spherical or ellipsoidal shape and said erecting support surface has a flat shape.

22. (new) A self-erecting structure for a rod-shaped member according to Claim 20, wherein said rod-shaped member extends at a non-perpendicular angle with respect to said mount surface when said rod-shaped member is held in the erect position.

23. (new) A self-erecting structure for a rod-shaped member according to Claim 20, wherein said rod-shaped member moves in a first pivoting direction when shifting from the erect position to the lying position, and wherein said lid moves in a second pivoting direction when shifting from an open position to a closed position, and the first pivoting direction and the second pivoting direction being different from each other.

24. (new) A self-erecting structure for a rod-shaped member according to Claim 23, wherein the first pivoting direction is opposite to the second pivoting direction.

25. (new) A self-erecting structure for a rod-shaped member according to Claim 23, wherein the first pivoting direction is perpendicular to the second pivoting direction.

26. (new) A self-erecting structure for a rod-shaped member according to Claim 20, wherein said mount surface having said erecting action surface is part of said lid, and said erection restraining part is part of a base of said container.